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PATENT TRADEMARK OFFICE

Docket No: 4280/1M321US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Alan J. KORMAN et al.

Serial No.: 09/644,668

Art Unit: 1644

Confirmation No.: 5400

Filed: August 24, 2000

Examiner: Jessica H. ROARK

For: HUMAN CTLA-4 ANTIBODIES AND THEIR USES

PRELIMINARY AMENDMENT UNDER 37 C.F.R. § 1.115
AND RESPONSE TO RESTRICTION REQUIREMENT
UNDER 37 C.F.R. §§ 1.142 AND 1.143

Hon. Commissioner of Patents and Trademarks
Washington, DC 20231

SIR:

In response to the Office Action mailed by the U.S. Patent and Trademark Office on January 28, 2003 for this application and in accordance with Rule 115 of the Rules of Practice, please enter the following amendments and consider the accompanying remarks. The amendments are set forth here in accordance with the revised format

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recently described in the *Official Gazette*.¹ Accordingly, Applicants respectfully decline to submit two versions of each amended claim as specified in 37 C.F.R. §§ 1.121(b) and (c) since the O.G. Notice states that those provisions are waived for all amendments complying with the format set forth therein. Instead, this amendment complies with the format set forth in the O.G. Notice. In particular, a complete listing of all claims in this application is provided below, with a parenthetical expression after each claim number indicating the claim's status and with the text of each amended claim presented.

Applicants also submit herewith:

- (1) a Petition for Extension of Time, requesting that the time period for responding to the Office Action be extended for a period of one month from February 28, 2003 up to and including March 28, 2003 and accompanied by the appropriate Extension Fee;
- (2) an Amendment Transmittal letter accompanied by the appropriate fee;
- (3) a copy of the Amendment received by the USPTO Receiving Office on January 7, 2002, attached hereto at Tab A;
- (4) a copy of the return receipt postcard, attached hereto at Tab B and indicating receipt of the January 7 amendment by the USPTO Receiving Office; and

¹ AMENDMENTS IN A REVISED FORMAT NOW PERMITTED, signed January 31, 2003 and published in the *Official Gazette* on February 25, 2003 (hereinafter referred to as the "O.G. Notice").

- (5) a Transmittal of Substitute Drawings letter (addressed to the Official Draftsperson): and
- (6) substitute drawings for this application (Figures 1-17 and Tables 11 and 13, all on 22 sheets) .

It is believed that no additional fees are required for these submissions.

However, should the U.S. Patent and Trademark Office determine that any additional fee is due or that any refund is owed for this application the Commissioner is hereby authorized and requested to charge the required fee(s) and/or credit the refund(s) owed to our Deposit Account No. 04-0100.